

NORFOLK, VIRGINIA
ACTION OF THE COUNCIL
CITY COUNCIL MEETING

TUESDAY, NOVEMBER 15, 2016 – 7:00 P.M.

Mayor Alexander called the meeting to order at 7:00 p.m.

The opening prayer was offered by Reverend Harold J. Cobb, Rector, Grace Episcopal Church, followed by the Pledge of Allegiance.

The following members were present: Ms. Graves, Ms. Johnson, Ms. McClellan, Mr. Riddick, Mr. Smigiel, Mr. Thomas, Dr. Whibley, and Mr. Alexander.

President Alexander moved to dispense with the reading of the minutes of the previous meeting.

Motion adopted.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley and Alexander

No: None.

CERTIFICATION OF CLOSED MEETING

A Resolution entitled, "A Resolution certifying a closed meeting of the Council of the City of Norfolk in accordance with the provisions of the Virginia Freedom of Information Act," was introduced in writing and read by its title.

ACTION: The Resolution as introduced was **adopted**, effective November 15, 2016.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley and Alexander.

No: None.

CEREMONIAL MATTER

Mayor Alexander read a Proclamation proclaiming the month of **November** as **Adoption Awareness Month in the City of Norfolk** – Interim Director of Human Services, Denise Gallop and adoptive family, Sherill, Andrew and Kayawn Christian accepted the Proclamation.

INVITATION TO BIDS

IB-1

INVITATION TO BID scheduled this day pursuant under State Law, public notice having been inserted in the local press by the City Clerk to accept bids for a long term Garage Parking Agreement, with a term of approximately twenty (20) years, for twelve (12) parking spaces in the **Boush Street Garage located at 112 W. City Hall Avenue**.

One bid was submitted by **151 Granby LLC** that was opened numbered and read.

Thereupon, an Ordinance entitled, “An Ordinance accepting a bid submitted by 151 Granby Street, LLC for a long term garage parking agreement, with a term of twenty years, for the lease of 12 parking spaces in the **Boush Street garage located at 112 W. City Hall Avenue** in the City of Norfolk,” was introduced and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective December 16, 2016.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

IB-2

INVITATION TO BID scheduled this day pursuant under State Law, public notice having been inserted in the local press by the City Clerk to accept bids for a long term Garage Parking Agreement, with a term of approximately twenty (20) years, for forty-two (42) parking spaces in the **Boush Street Garage located at 112 W. City Hall Avenue.**

One bid was submitted by 161 Granby Street LLC that was opened numbered and read.

Thereupon, an Ordinance entitled, “An Ordinance accepting a bid submitted by 161 Granby Street, LLC for a long term garage parking agreement, with a term of twenty years, for the lease of 42 parking spaces in the **Boush Street garage located at 112 W. City Hall Avenue** in the City of Norfolk,” was introduced and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective December 16, 2016.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

IB-3

INVITATION TO BID scheduled this day pursuant under State Law, public notice having been inserted in the local press by the City Clerk to accept bids for a long term Garage Parking Agreement, with a term of approximately nineteen (19) years, for fifty-six (56) residential parking spaces in the **Boush Street Garage located at 112 W. City Hall Avenue.**

One bid was submitted by 245 Granby Street LLC that was opened numbered and read.

Thereupon, an Ordinance entitled, “An Ordinance accepting a bid submitted by 245 Granby Street, LLC for a long term garage parking agreement, with a term of nineteen years, for the lease of 56 residential parking spaces in the **Boush Street garage located at 112 W. City Hall Avenue** in the City of Norfolk,” was introduced and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective December 16, 2016.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

REGULAR AGENDA

R-1

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** authorizing the operation of an eating and drinking establishment named ‘**A.W. Shucks Raw Bar and Grill**’ on property located at **2200 Colonial Avenue, Suites 12 and 14,**” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective November 15, 2016.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

R-2

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** to operate an eating and drinking establishment named ‘Leone’s’ on property located at **449 and 455 Granby Street and 105 and 119 West Charlotte Street,**” was introduced in writing and read by its title.

Matt Tacoronte, 815 Coppertone Circle, Chesapeake, was present to answer questions in this matter.

ACTION: The Ordinance as introduced was **adopted**, effective November 15, 2016.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

R-3

Letter from the City Manager and a Resolution entitled, “A Resolution supporting three transportation projects and requesting funding for such projects in the amount of \$3,500,000 through the **FY2018 Virginia Department of Transportation Revenue Sharing Program**,” was introduced in writing and read by its title.

ACTION: The Resolution as introduced was **adopted**, effective November 15, 2016.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

R-4

Letter from the City Manager and an Ordinance entitled, “An Ordinance permitting **Bank of America Corporation** to encroach into the right-of-way of **Colonial Avenue** with four existing light poles,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective November 15, 2016.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

R-5

Letter from the City Manager and an Ordinance entitled, “An Ordinance to amend and reordain the Norfolk City Code, 1979 **SO AS TO** add a new subsection (f) to Section 41.1-23 providing for waivers of stormwater management fees,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective November 15, 2016.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

R-6

Letter from the City Manager and an Ordinance entitled, “An Ordinance accepting a \$300,000 **Grant Award from the U.S. Department of Justice, Office of Justice Assistance Program, for the Norfolk Community Services Board** to implement a pilot program to expand substance abuse services to Drug Court and to introduce Naltrexone as a new intervention to prevent heroin overdose,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective November 15, 2016.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

R-7

Letter from the City Attorney and an Ordinance entitled, “An Ordinance directing the City Treasurer to issue a refund in the amount of \$35,748.20 plus interest to **Acosta Military Sales, LLC** based upon the overpayment of its business license tax for tax year 2014,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective November 15, 2016.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

R-8

Letter from the City Attorney and an Ordinance entitled, “An Ordinance directing the City Treasurer to issue a refund in the amount of \$7,061.19 plus interest to **CMA CGM (America) LLC**, based upon the overpayment of its business personal property tax for the tax year 2016,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective November 15, 2016.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

R-9

Letter from the City Attorney and an Ordinance entitled, “An Ordinance directing the City Treasurer to issue a refund in the amount of \$18,949.08 plus interest to **Marine Contracting Corporation**, based upon the overpayment of its business personal property tax for the tax year 2016,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective November 15, 2016.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

R-10

A Resolution entitled, “A Resolution providing time to allow American Cigar Factory, LLC, 120 days to obtain financing, 150 days to commence construction of apartment units at 1140 East Princess Anne Road, and 18 months to substantially complete the project,” was introduced in writing and read by its title.

ACTION: The Resolution as introduced was **adopted**, effective November 15, 2016.

Yes: Graves, Johnson, McClellan, Riddick, Smigiel, Thomas, Whibley, and Alexander.

No: None.

NEW BUSINESS

1. Lana Pressley, 2833 Villa Circle, requested an exemption from real estate taxes on property located at 1001 E. 26th Street which was donated to the Four Rivers Project, a nonprofit.
2. Robert Henderson, 1120 Craig Street, Apt. C, commented on his hardship upon returning to society from prison, in getting a valid driver’s license and the city’s hiring practices regarding having a valid driver’s license to obtain a job.

3. Tracy D. Benson, 401 Dallas Street, spoke on the following issues: 1) she would like to purchase a GEM lot to build a home in Park Place but has had difficulty receiving information from city staff; 2) the many pot holes in the Barraud Park neighborhood that do not get fixed and 3) that landscaping companies, working on Colley Avenue blow leaves into the street onto passing traffic.
4. Danny Lee Ginn, 3844 Dare Circle, gave a history of City Manager Marcus Jones' tenure with the city.
5. Mary Simpson Jones, 7507 Paulin Court, commented on the incident at Booker T. Washington in which the bleachers broke and she was injured. She stated the school board told her to file a workmen's compensation case but she believes the school is owned by the city.